Eleventh Conference of the High Contracting Parties to Protocol V on Explosive Remnants of War to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects

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Consideration and adoption of the final document

Final document

I. Introduction

1. Article 10 (1) and (2) of Protocol V on Explosive Remnants of War (ERW) states the following:

"1. The High Contracting Parties undertake to consult and co-operate with each other on all issues related to the operation of this Protocol. For this purpose, a Conference of High Contracting Parties shall be held as agreed to by a majority, but no less than eighteen High Contracting Parties.

2. The work of the conferences of High Contracting Parties shall include:

(a) Review of the status and operation of this Protocol;

(b) Consideration of matters pertaining to national implementation of this Protocol, including national reporting or updating on an annual basis;

(c) Preparation for review conferences."

2. The Fifth Review Conference of the High Contracting Parties to the Convention, CCW/CONF.V/10, encouraged the High Contracting Parties to Protocol V to "continue with their efforts to encourage a higher rate of national reporting, including through the consideration of an appropriate mechanism; to convene an Article 4 workshop to consider in-depth the clearance of explosive remnants of war and generic preventive measures; and to prioritize the work on cooperation and assistance and victim assistance."

3. A Meeting of Experts was to be held to prepare for the Eleventh Conference, as decided by the Tenth Conference in paragraph 36 of its Final document (CCW/P.V/CONF/2016/8). However, the Meeting of Experts could not take place owing to a lack of funding.

4. The Tenth Conference decided, as stipulated in paragraphs 26, 32 and Annex II – paragraph 6 of its Final document, the Meeting of Experts should especially focus on the implementation of Article 4 and national reporting.

5. The Tenth Conference also decided, as stipulated in paragraph 24 of its Final document, that the Secretary-General of the United Nations and President of the Eleventh Conference, to exercise their authority to achieve the goal of universality of the Protocol.

6. The First Conference decided, as stipulated in paragraph 42 of its Final document, CCW/P.V/CONF/2007/1, that the work of the Meetings of Experts shall be considered by the Conferences of the High Contracting Parties to be held annually.

7. The Tenth Conference also decided in paragraph 39 of its Final document, to nominate Ambassador Andre Pung of Estonia as President-designate of the Eleventh Conference, and Ambassador Mouayed Saleh of Iraq, as Vice-President-designate.

II. Participation in the Eleventh Conference

8. The Eleventh Conference of the High Contracting Parties to Protocol V on Explosive Remnants of War (ERW) was convened at the Palais des Nations in Geneva on 20 November 2017.

9. The following High Contracting Parties to Protocol V participated in the work of the Conference: Afghanistan, Albania, Argentina, Australia, Austria, Belarus, Belgium, Brazil, Bulgaria, Cameroon, Canada, Chile, China, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Dominican Republic, El Salvador, Estonia, Finland, France, Georgia, Germany, Greece, Guatemala, Holy See, Honduras, Hungary, India, Iraq, Ireland, Italy, Kuwait, Lao People's Democratic Republic, Latvia, Lithuania, Mali, Montenegro, Netherlands, New Zealand, Norway, Panama, Pakistan, Paraguay, Peru, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saudi Arabia, Sierra Leone, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, Tunisia, Ukraine, United Arab Emirates, United States of America and Zambia.

10. The following High Contracting Parties to the Convention participated in the work of the Conference as observers: Algeria, Colombia, Israel, Japan, Kazakhstan, Morocco, Philippines, Serbia, Sri Lanka, Togo, Turkey, Uganda and United Kingdom of Great Britain and Northern Ireland.

11. The following State Signatory to the Convention participated in the work of the Conference as observer: Egypt.

12. The representatives of Ghana, Myanmar, Oman, Yemen, Zimbabwe participated in the work of the Conference as observers.

13. The representatives of the following organizations also took part in the work of the Conference as observers: United Nations Institute for Disarmament Research (UNIDIR), United Nations Mine Action Service (UNMAS), European Union, International Committee for the Red Cross (ICRC), Geneva International Centre for Humanitarian Demining (GICHD).

14. The representatives of the following non-governmental organizations and other entities also took part in the work of the Conference as observers: CBRNE Global Alliance, HALO Trust, Human Rights Now, Human Rights Watch, Mines Advisory Group (MAG), Norwegian People's Aid, World Council of Churches, James Madison University and University of Melbourne.

III. Work of the Eleventh Conference

15. The Eleventh Conference of the High Contracting Parties to Protocol V on Explosive Remnants of War was opened by Ambassador Robbert Gabriëlse of the

Netherlands as representative of the President of the Tenth Conference, in the morning of Monday 20 November 2017.

16. The Conference held two plenary meetings. At its first plenary meeting, the Conference confirmed the nomination of Ambassador Andre Pung of Estonia as President of the Eleventh Conference. It also confirmed the nominations of Ambassador Terhi Hakala of Finland and Ambassador Mouayed Saleh of Iraq, as Vice-Presidents.

17. At the same plenary meeting, the Conference adopted its agenda, (CCW/P.V/CONF/2017/1). In confirming its Rules of Procedure, as contained in CCW/P.V/CONF/2013/10, the Conference in accordance with paragraph 42 of the Final document of the Seventh Conference decided to suspend Rule 2.

18. The Conference confirmed the nomination of Ms. Anja Kaspersen, Director of the United Nations Office for Disarmament Affairs (Geneva Branch) as Secretary-General of the Conference. Ms. Hine-Wai Loose, CCW Implementation Support Unit, served as Secretary.

19. The following delegations participated in the general exchange of views: Argentina, Australia, Belgium, Brazil, China, Costa Rica, Croatia, Cuba, Finland, Germany, Greece, India, Iraq, Italy, Laos People's Democratic Republic, Morocco, Netherlands, Pakistan, Paraguay, Republic of Korea, Russian Federation, Spain, Ukraine, Zambia, European Union, UNMAS on behalf of the United Nations Inter-Agency Coordination Group on Mine Action and ICRC.

20. Pursuant to the decision by the First Conference to establish a database on Protocol V, in accordance with its Article 10 (2) (b), consisting of the national reports, annual or immediate updates of the national reports, and/or summary cover pages, if applicable, on matters pertaining to the implementation of Protocol V, as stipulated in paragraphs 24 to 28 of its final document (CCW/P.V/CONF/2007/1), the Conference had before it national annual reports from the following States: Albania, Argentina, Australia, Austria, Belarus, Belgium, Bosnia and Herzegovina, Brazil, Bulgaria, Cameroon, Canada, China, Croatia, Cuba, Cyprus, Czech Republic, El Salvador, Estonia, Finland, France, Georgia, Germany, Greece, Guatemala, Holy See, Hungary, India, Iraq, Ireland, Italy, Lao People's Democratic Republic, Latvia, Liechtenstein, Lithuania, Luxembourg, Netherlands, New Zealand, Norway, Pakistan, Paraguay, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Slovakia, Slovenia, Spain, Sweden, Switzerland, Tajikistan, Ukraine, United States of America and Uruguay.

21. During the Conference the following documents were considered CCW/P.V/CONF/2017/1 and CCW/P.V/CONF/2017/4. The documents of the Conference are available in all official languages through the Official Document System of the United Nations at http://documents.un.org, and the website of the CCW Protocol V at http://www.unog.ch/ccw.

IV. Conclusions and recommendations

Universalization

22. The Eleventh Conference welcomed that since the Tenth Conference, Afghanistan had consented to be bound by Protocol V. The Eleventh Conference also welcomed the efforts undertaken by the Secretary-General of the United Nations, President of the Eleventh Conference, organizations, CCW Sponsorship Programme, and Implementation Support Unit to promote universalization of Protocol V.

23. The Conference recommended that the Secretary-General of the United Nations and the President-designate of the Twelfth Conference, on behalf of the High Contracting

Parties, exercise their authority to achieve the goal of universality of Protocol V. The Conference also called on the High Contracting Parties to Protocol V and the Implementation Support Unit to promote wider adherence to Protocol V.

Article 4

24 In accordance with paragraph 26(f) of the Tenth Conference's Final Document (CCW/P.V/CONF/2016/8), the 2017 Meeting of Experts was to hold a workshop on Article 4. Given that the Meeting of Experts could not be held, during the Conference two panels on Article 4 were convened. These focused on and included the participation of:

(a) Experiences on the development and implementation of Article 4 with the participation of the Netherlands, Sweden and UNMAS;

(b) Experiences on the receipt of Article 4 information with the participation of Afghanistan, Lao People's Democratic Republic and UNMAS.

25 The following delegations intervened during the discussion on Article 4: Australia, Belarus, India, Iraq, United States of America and ICRC.

26 In welcoming the panel discussions and recognizing that the work on Article 4 remains incomplete, the Conference decided that, the President-designate, with the support of the CCW Implementation Support Unit, be tasked to work with High Contracting Parties to encourage the development and implementation of Article 4 procedures and report on these efforts to the Twelfth Conference.

National Reporting

27 In accordance with paragraphs 32(b) and (d) of the Tenth Conference's Final Document (CCW/P.V/CONF/2016/8) and the President's proposal in document (CCW/P.V/2017/2), the Conference decided:

(a) In accordance with the Implementation Support Unit's mandate to "Support the High Contracting Parties, on request, in the implementation of the CCW and its Protocols…"[1], support is to be provided to High Contracting Parties on national reporting. Such support may take the form of one-on-one briefings in Geneva on the requirements of national reporting under Protocol V and the provision of detailed written information.

(b) The Implementation Support Unit is to facilitate contact between High Contracting Parties requiring assistance and experts from other High Contracting Parties or relevant organisations. The Unit is to invite experts from the following groups to provide advice on national reporting: the roster of experts for the CCW Compliance Mechanism; High Contracting Parties that have submitted comprehensive national reports; and expert organizations including the United Nations Mine Action Service (UNMAS), International Committee of the Red Cross (ICRC) and the Geneva International Centre for Humanitarian Demining (GICHD). Assistance could be provided via email, video conferences or bilateral exchanges.

(c) The Implementation Support Unit may conduct in-country visits and where necessary with expert support as outlined above.

(d) It is underlined that any support provided could only be done so with the consent of the country requesting assistance.

[1] *Final Report*, paragraph36(d), CCW/MSP/2009/5, 20 November 2009, 2009 CCW Meeting of High Contracting Parties.

(e) If financing is required this will be provided via voluntary contributions. The Implementation Support Unit's work on providing advice on national reporting and the management of any funding will be carried out in consultation with the officeholders and be reported on in the Unit's annual report.

(f) The Conference further decided that support provided for Protocol V national reporting would be reviewed in 2021 to coincide with the Sixth CCW Review Conference.

Follow-up

28. The Conference decided that the next Meeting of Experts will be for a duration of one and a half days and the dates to be determined by the Meeting of the High Contracting Parties to the Convention.

29. The Conference also decided that the Meeting of Experts will take place under the overall responsibility of the President-designate of the Twelfth Conference.

30. The Conference decided that to progress universalization of the Protocol the Meeting of Experts should consider the issue of the universalization of Protocol V under the overall responsibility of the President-designate of the Conference of the High Contracting Parties to Protocol V.

31. The Conference decided that in 2018 the work under Protocol V is to focus on the clearance of explosive remnants of war (paragraph 26, CCW/P.V/CONF/2016/8), to complete the consideration of Article 4 (paragraph 27(e), CCW/P.V/CONF/2016/8), and to continue on national reporting (paragraphs 32 (a), (b) and (c), CCW/P.V/CONF/2016/8).

32. The Conference decided to nominate Ambassador Mouayed Saleh of Iraq as President-designate of the Twelfth Conference, and Ambassador Terhi Hakala of Finland and Ambassador Yury Ambrazevich of Belarus as Vice-Presidents designates.

33. The Conference considered and approved a provisional agenda of the Twelfth Conference, as contained in Annex I. The Conference adopted the estimated costs of the 2018 Meeting of Experts and Twelfth Conference, as contained in CCW/P.V/CONF/2017/4 and CCW/P.V/CONF/2017/3. The date for the Twelfth Conference will be determined by the Meeting of High Contracting Parties to the Convention.

34. At its second plenary meeting, the Eleventh Conference of the High Contracting Parties to Protocol V on Explosive Remnants of War adopted its Final document as contained in CCW/P.V/CONF/2017/CRP.1, as orally amended, which is being issued as document CCW/P.V/CONF/2017/5.

Annex I

Provisional agenda of the Twelfth Conference

Submitted by the Eleventh Conference

1. Opening of the Conference
2. Election of the President
3. Adoption of the agenda
4. Confirmation of the rules of procedure
5. Appointment of the Secretary-General of the Conference
6. Organization of work including that of any subsidiary bodies of the Conference
7. Election of other officers of the Conference
8. General exchange of views
9. Review of the status and operation of the Protocol
10. Consideration of matters pertaining to national implementation of the Protocol, including national reporting or updating on an annual basis
11. Preparation for review conferences
12. Report(s) of any subsidiary organ(s)
13. Adoption of the cost estimates for 2019
14. Other matters
15. Consideration and adoption of the final document

Annex II

List of documents

Symbol	*Title*
CCW/P.V/CONF/2017/1	Provisional agenda
CCW/P.V/CONF/2017/2	Proposal on assistance for national reporting under Protocol V on Explosive Remnants of War (ERW)
CCW/P.V/CONF/2017/3	Estimated Costs 2018 Twelfth Conference of the High Contracting Parties to Protocol V
CCW/P.V/CONF/2017/4	Estimated Costs 2018 Meeting of Experts of the High Contracting Parties to Protocol V
CCW/P.V/CONF/2017/5	Final document
CCW/P.V/CONF/2017/CRP.1	Draft final document
CCW/P.V/CONF/2017/INF.1	List of participants
CCW/P.V/CONF/2017/MISC.1	Provisional list of participants